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| <b>Notice of Allowability</b> | <b>Application No.</b><br>10/525,033 | <b>Applicant(s)</b><br>ERA, KAZUNARI |
|                               | <b>Examiner</b><br>WESLEY TUCKER     | <b>Art Unit</b><br>2624              |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTO-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to amendment filed 1-29-09.

2.  The allowed claim(s) is/are 18,20,22,24,25,28-30,33 and 34.

3.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)  All    b)  Some\*    c)  None    of the:

1.  Certified copies of the priority documents have been received.

2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.

(a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached  
1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.

(b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of  
Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- 1.  Notice of References Cited (PTO-892)
- 2.  Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3.  Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date 10-22-08 and 3-25-09
- 4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
- 5.  Notice of Informal Patent Application
- 6.  Interview Summary (PTO-413),  
Paper No./Mail Date 3-2-09.
- 7.  Examiner's Amendment/Comment
- 8.  Examiner's Statement of Reasons for Allowance
- 9.  Other \_\_\_\_\_.

/Wes Tucker/  
Examiner, Art Unit 2624

**DETAILED ACTION**

***Response to Amendment***

1. Applicant's amendment filed January 29<sup>th</sup> 2009 has been entered and made of record.
2. Applicant has amended claims 18, 20, 29, 30 and 34. Claims 1-17, 19, 21, 23, 26-27 and 31-32 have been cancelled. Claims 18, 20, 22, 24, 25, 28-30, 33 and 34 are now pending.
3. Applicant's remarks in view of the newly presented amended claims are found to be persuasive in overcoming the cited prior art. Independent claims 18, 29 and 34 are found to be in condition with allowance as well as the subsequent dependent claims. Reasons for allowance are found below.
4. Examiner also conducted a personal interview with Applicant's representatives, which is detailed in the attached interview summary.

***Examiner Amendment***

5. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Patrick Muffo, Reg. No. 60,342 on March 24<sup>th</sup> 2009.

The preamble of Claim 18 should be amended to read:

"A method for a stereographic image generation apparatus for generating a stereographic image, the method comprising:"

The preamble of Claim 34 should be amended to read:

"A computer program product embodied on a computer readable medium, which when executed by a computer causes the computer to function as:"

***Allowable Subject Matter***

6. Claims 18, 20, 22, 24, 25, 28-30, 33 and 34 are allowed.

The following is an examiner's statement of reasons for allowance:

Applicant's remarks in view of the amended claims are found to be persuasive.

The cited references to Murata and Isao do not teach nor fairly suggest the combination of claimed features as now recited. Murata teaches calculation of depth values and Isao teaches the calculation of depth values using color components, but neither reference teaches using predetermined weights of color components and adjusting the depth value involving obtaining an average of depth values within an area, and determining step size quantization based on a user specified parameter. No other found prior art of record teaches or fairly suggests the combination of claimed features now recited.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Contact Information***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to WESLEY TUCKER whose telephone number is (571)272-7427. The examiner can normally be reached on 9AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matt Bella can be reached on 571-272-7778. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Wes Tucker/

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